

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK**

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JOHN N. ALASKEY,

Plaintiff,

vs.

**DELAWARE& HUDSON
RAILWAY COMPANY,**

Defendants.

=====

**JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT
CIVIL ACTION NUMBER:**

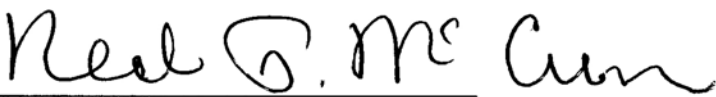
1:2004-CV-00806

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice pursuant to the procedure as set forth in L.R. 68.2(a) of the Local Rules of this Court. This Order is issued without prejudice to the right to secure reinstatement of the case within thirty (30) days after the date of this judgment by making a showing that the settlement was not, in fact, consummated.

IT IS FURTHER ORDERED that the Clerk shall forthwith serve copies of this Judgment by United States Mail upon the attorneys for the parties appearing in this action.

**Dated: November 1, 2006
At Syracuse, New York**



Neal P. McCurn
Senior U.S. District Judge